



October 27, 2001

Ms. Magalie Roman Salas
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Public Notice Seeking Comment on Loea Communications
Corporation's Petition for Rulemaking, RM 10288

Dear Ms. Salas:

I am writing in response to the Federal Communications Commission's ("FCC") September 27, 2001, Public Notice seeking comment on Loea Communications Corporation's ("Loea") Petition for Rulemaking.

"I am the President of Pacific LightNet Corporation. Pacific LightNet Inc. is a certificated Competitive Local Exchange Carrier (CLEC) operating in the State of Hawaii. As a competitive Local Exchange Carrier, Pacific LightNet is interested in seeing new competitive alternatives offered in the traditionally underserved Hawaii market.

Pacific LightNet supports Loea's Petition for Rulemaking and encourages the FCC to take swift action to issue a notice of proposed rulemaking and then, shortly after that, issue an order opening the 71-76 GHz and 81-86 GHz spectrum bands for use by fixed, point-to-point services. If the FCC adopts Loea's proposal, Loea and other companies will be able to provide gigabit-per-second broadband access using a wireless technology. As a result, these companies will be able to offer fiber optic-like speeds and throughput to rural, suburban, and even urban areas that currently do not have access to such service. Issuing service rules that make such service available is clearly in the public interest because it will remove one of the main barriers that face these areas – access to the Information Superhighway.

To provide broadband access to these areas the FCC should immediately begin a proceeding that will open the 71-76 GHz and 81-86 GHz bands for use by fixed, point-to-point systems. To accomplish this goal the FCC should begin a proceeding whose goal is to issue service rules that will make this spectrum available for such purposes.

Pacific LightNet agrees with Loea that the FCC should add these bands to Part 101 of its current rules. Adding these bands to Part 101 is the simplest and fastest way for the FCC to open these bands for Loea and other companies. Part 101 of the rules already provides the rules and regulations for other fixed, point-to-point wireless systems.

Moreover, Part 101 already contains the technical parameters necessary to regulate a fixed, point-to-point service. Adding these bands with the technical limits suggested by Loea ensures that the 71-76 GHz and 81-86 GHz bands can be used to provide gigabit-per-second wireless access to the Internet.

Pacific LightNet agrees with Loea that the FCC needs to consider the propagation characteristics of the 71-76 GHz and 81-86 GHz bands when it issues rules to regulate these bands. The propagation characteristics of these bands are quite different than spectrum below 40 GHz. The propagation characteristics of this spectrum make highly directionalized low power beams or “pencil beams” the most logical use of these bands. By requiring licensees to use highly directionalized antennas at a limited power, the FCC will enable multiple users to share these bands and allows almost limitless use of the spectrum. Adopting such regulations also fulfills the goal of Section 309(j)(6)(E) by finding a technical solution that enables many entities to share this spectrum. Because multiple users can share this spectrum, Pacific LightNet agrees with Loea that it would be inappropriate to auction these bands.

Pacific LightNet encourages the FCC to adopt implement an inexpensive licensing or registration system for these bands. Adopting an inexpensive registration or licensing system, where an applicant can obtain a license for \$500.00 or less will encourage the development and use of this previously unused spectrum.

Loea’s Petition provides the FCC with a unique opportunity; it can issue service rules that will make previously useless spectrum very useable. The 71-76 GHz and 81-86 GHz bands can be used to provide gigabit-per-second Internet access – a service that currently can only be offered over fiber optic cables – if the FCC issues service rules in accordance with Loea’s Petition. Pacific LightNet encourages the FCC to take swift action to issue a Notice of Proposed Rulemaking seeking comment on Loea’s Petition. Shortly after that, the FCC should issue an order enacting rules in accordance with Loea’s Petition. The potential benefit to the public is great with almost no downside. For this reason I encourage the FCC to act as fast it can to issue service rules that make the 71-76 GHz and 81-86 GHz bands available for fixed point-to-point services.

Sincerely,

Robert Volker
President
Pacific LightNet Inc.